

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6171

BILL NUMBER: SB 27

NOTE PREPARED: Jan 15, 2010

BILL AMENDED: Jan 14, 2010

SUBJECT: Habitual Offender Filing Deadline.

FIRST AUTHOR: Sen. Head

FIRST SPONSOR:

BILL STATUS: CR Adopted - 1st House

FUNDS AFFECTED: **GENERAL
DEDICATED
FEDERAL**

IMPACT: No Fiscal Impact

Summary of Legislation: (Amended) This bill permits amending an indictment or information to include a habitual offender charge at any time before trial if the amendment does not prejudice the substantial rights of the defendant.

(The introduced version of this bill was prepared by the Sentencing Policy Study Committee.)

Effective Date: July 1, 2010.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures: This bill should have no substantive effect on court proceedings.

Persons who are convicted of a felony and have been convicted of two prior unrelated felonies can be sentenced to an additional term of prison because they are considered "habitual offenders". The Department of Correction (DOC) reported that 316 offenders in 2007 and 282 offenders in 2008 who the courts determined to be habitual offenders were committed to DOC facilities.

Explanation of Local Revenues:

State Agencies Affected: DOC.

Local Agencies Affected: Trial courts, prosecuting attorneys office

Information Sources: DOC.

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